

legacies, but under the circumstances of the case, the parties respectively will be required to pay their own costs.

[No appeal was taken from this decree.]

WEST AND COURTENAY ADM'RS OF WEST vs. NATHANIEL WILLIAMS.	}	DECEMBER TERM, 1848.
--	---	----------------------

[EXCEPTIONS TO ANSWER—ALLEGATIONS OF THE BILL.]

EXCEPTIONS to an answer for insufficiency, can only be sustained where some material allegation, charge or interrogatory in the bill, is not fully answered. The court must see, by referring to the bill, alone, in connection with the exception, that the precise matters, as to which a further answer is sought, are stated in the bill, or, that such an answer is called for by the interrogatories.

Exceptions to an answer, upon the ground that the defendant did not give a detailed account of the management of a trust fund which came to his hands, *as agent*, were overruled, because the bill only called upon him for an account of the business of *the trust*, and not for an account of the business of the trust and *agency*.

[James West, deceased, in the year 1805, conveyed his property to trustees for the benefit of his creditors, and was himself appointed by the trustees their agent for managing the trust. On the death of West, in 1809, Nathaniel Williams was made agent in his place, and afterwards on the death of the trustees, he was appointed trustee, and has continued to act in that capacity ever since. This bill was brought by the complainants to recover from Williams certain moneys which they allege to be due the estate of their intestate, on account of his services as agent as aforesaid; and also an allowance to his widow, one of the complainants, for dower. The case was brought before the court at this term, on exceptions to the defendant's answer, and as all the facts material to that question are given by the